

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America

v.

Eben Gray, II

Case: 4:23-mj-30502

Judge: Ivy, Curtis

Filed: 12-27-2023

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 17, 2023 in the county of Genesee in the  
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(o); and 18 U.S.C. § 922(i)	Possession of a machine gun; and Possession of a stolen firearm

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: December 27, 2023

City and state: Flint, Michigan

  
Complainant's signature

Special Agent Christopher Zylik, ATF&E  
Printed name and title

  
Judge's signature

Curtis Ivy, Jr., United States Magistrate Judge  
Printed name and title

**AFFIDAVIT**

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since January 2022. I am currently assigned to the Detroit Field Division, Flint Field Office. Before working for the ATF, I was employed by the Michigan Department of State Police (MSP) for eight years. During my employment with ATF and MSP, I have conducted or participated in numerous criminal investigations focused on firearms, armed drug trafficking, and criminal street gangs, and other violations of federal law.

2. I make this affidavit from personal knowledge based on my participation in this investigation, my review of reports and other materials prepared by those who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. I am currently investigating Eben Gray II, for violations of 18 U.S.C. § 922(o) - Possession of an unregistered machinegun and 18 U.S.C. § 922(i) – possession of a stolen firearm.

4. On December 17, 2023, a Michigan State Police (MSP) Trooper and

Sergeant were patrolling the City of Flint and conducted a traffic stop at East Marengo Avenue and Aubrey Street, City of Flint, Eastern District of Michigan, for violations of the Michigan Motor Vehicle Code (disregard stop sign, fail to maintain vehicle equipment).

5. MSP contacted the four occupants of the vehicle, all under the age of 21, and observed tobacco products in the vehicle. State of Michigan law dictates that you must be 21 years of age or older to purchase and/or possess tobacco products.

6. The driver was detained for a misdemeanor tobacco offense and provided officers consent to search the vehicle. The rear passenger side occupant, identified as Eben Gray, attempted to run past the MSP Sergeant to flee from the traffic stop. The MSP Sergeant grabbed Eben Gray and took him to the ground on the sidewalk adjacent from the vehicle. The MSP Trooper observed the struggle and assisted the Sergeant. Eben Gray ignored verbal commands given to him by the troopers and continued to resist. The MSP Trooper deployed his department issued TASER at Eben Gray, causing him to be temporarily subdued but he still resisted. At this time, the MSP Trooper observed the outline of a firearm in Eben Gray's right pant leg. Eben Gray eventually surrendered his hands and was placed in handcuffs.

7. Eben Gray was read Miranda warning and advised that he understood his rights and agreed to talk. Eben Gray stated that he purchased the firearm and

carried it for protection.

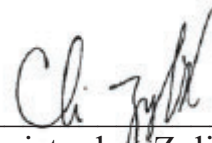
8. The firearm was recovered and found to be a Glock, model 19, serial number: ABPS283. MSP queried the firearm through LEIN and it was reported stolen on September 11, 2023 from Detroit, MI. The firearm also had a “Glock switch” attached making it fully automatic.

9. A “Glock switch” is street slang for an auto sear which converts a semi-automatic into a fully automatic, firing more than one round with the single pull of the trigger.

10. ATF SA Hurt is recognized by ATF as an expert in interstate nexus of firearms. The Glock, model 19 bearing serial number: ABPS283 seized was not manufactured in the State of Michigan.

11. Based on the foregoing, I have probable cause to believe that on December 17, 2023, in the Eastern District of Michigan, Eben Gray II, knowingly possessed a machine gun, in and affecting interstate commerce, in violation of 18 U.S.C. § 922(o), and possessed a stolen firearm in violation of 18 U.S.C. § 922(i).

Dated December 26, 2023.



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Christopher Zylik  
Special Agent  
Bureau of Alcohol, Tobacco, Firearms and  
Explosives

Sworn to before me and signed in my presence and/or by reliable electronic means

on December 27, 2023.



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HON. CURTIS IVY, JR.  
UNITED STATES MAGISTRATE JUDGE